

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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DENNIS M WHITTIN and RUTHANN WHITTIN,

Plaintiff,

-against-

MEDTRONIC, INC.,

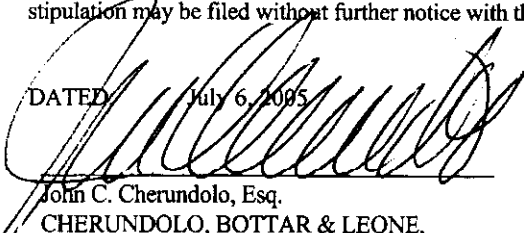
Defendant.
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**STIPULATION OF
DISCONTINUANCE**

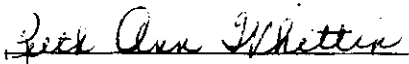
Index No.: 5:01-CV-1817
(NAM/DEP)

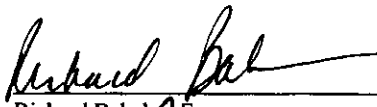
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties in the above entitled action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

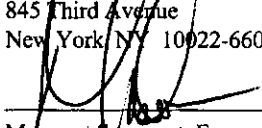
DATED July 6, 2005


John C. Cherundolo, Esq.
CHERUNDOLO, BOTTAR & LEONE,
LAWYERS, PLLC
Attorney for Plaintiffs
AXA Tower II, Suite 1600
120 Madison Street
Syracuse, NY 13202-2692

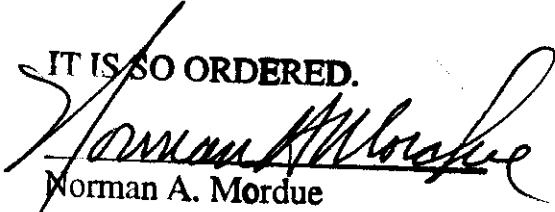

Dennis Whittin, Plaintiff
1411 Lemoyne Avenue
Syracuse, NY 13208


Ruthann Whittin, Plaintiff
1411 Lemoyne Avenue
Syracuse, NY 13208


Richard Bakalof, Esq.
QUIRK and BAKALOF, P.C.
Attorneys for Defendant
845 Third Avenue
New York, NY 10022-6601


Margaret Somerset, Esq.
Attorney for Defendant
23 Sly Street
Canandaigua, NY 14424

IT IS SO ORDERED.


Norman A. Mordue
U.S. District Judge

Dated: September 13, 2005